

REMARKS

The Office Action dated April 5, 2006, has been received and carefully considered. Claims 1-171 are pending in the present application.

I. THE ELECTION/RESTRICTION REQUIREMENT

On page 2 of the Office Action, the Examiner asserts that the present application contains claims directed to three patentably distinct inventions: I.) claims 1-88, 106-109, and 142-147 drawn to an equalizer; II.) claims 89-105 and 110-141 drawn to data clock recovery; and III.) claims 148-171 drawn to a receiver including differential amplifiers.

Applicants hereby respectfully traverse this election/restriction requirement and hereby request that the Examiner reconsider and withdraw this election/restriction requirement. As required, however, Applicants provisionally elect claims 1-88, 106-109, and 142-147 for prosecution in the event that this election/restriction requirement is made final.

Under 35 U.S.C. § 121, restriction is appropriate if two or more independent and distinct inventions are claimed in one application. As set forth in MPEP § 802.01, inventions are independent if there is no disclosed relationship between the two or more subjects disclosed, and inventions are distinct if

two or more subjects as disclosed are capable of separate manufacture, use, or sale as claimed.

On pages 2-3 of the Office Action, the Examiner attempts to explain how I, II, and III are distinct. However, the Examiner fails to explain how I, II, and III are independent. That is, I, II, and III are all directed to receiver operations. Indeed, the Examiner even acknowledges such. Thus, I, II, and III are related and are not independent from each other. Accordingly, it is respectfully submitted that the election/restriction requirement is improper, and the withdrawal of such election/restriction requirement is respectfully requested.

II. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this communication to Deposit Account No. 50-0206, and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: May 4, 2006